# IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
W.R. GRACE & CO., <u>et</u> <u>al</u> .,	) Case No. 01-1139 (KJC)
Reorganized Debtors.	) Objection Deadline: April 9, 2014 at 4:00 p.m.
	) Hearing: Schedule if Necessary (Negative Notice

# NOTICE OF FILING OF TENTH MONTHLY INTERIM APPLICATION OF ROGER FRANKEL, ASBESTOS PI FUTURE CLAIMANTS' REPRESENTATIVE

TO: (1) The Reorganized Debtors; (2) Counsel to the Reorganized Debtors; (3) The Office of the United States Trustee; (4) Counsel to the Official Committee of Unsecured Creditors;

- (5) Counsel to the Official Committee of Asbestos Personal Injury Claimants;
- (6) Counsel to the Official Committee of Asbestos Property Damage Claimants;
- (7) Counsel to the Official Committee of Equity Holders; (8) Counsel to the Debtors-in-Possession Lender; and (9) the Fee Auditor

Roger Frankel, the Court-appointed legal representative for future asbestos personal injury claimants (the "FCR"), has filed and served his Tenth Monthly Application for Compensation for Services Rendered and Reimbursement of Expenses as the FCR in the above-captioned cases for the time period January 16, 2014 through February 3, 2014<sup>1</sup> seeking payment of fees in the amount of \$66,824.20 (80% of \$83,530.25), and \$1,656.00 in expenses, for a total amount of \$68,480.20 (the "Application").

This Application is submitted pursuant to the Administrative Order Under 11 U.S.C. §§ 105(a) and 331 Establishing Procedures for Interim Compensation and Reimbursement for Expenses for Professionals and Official Committee Members signed April 17, 2002, amending

<sup>&</sup>lt;sup>1</sup> The FCR withdrew as a partner in Orrick, Herrington & Sutcliffe LLP ("Orrick") effective as of January 15, 2014, and formed Frankel Wyron LLP. Accordingly, the fees and expenses incurred by the FCR from January 1, 2014 through January 15, 2014 are to be paid to Orrick, and the fees and expenses incurred by the FCR from January 16, 2014 through February 3, 2014 are to be paid to Frankel Wyron LLP. The FCR has previously filed a separate application for fees and expenses incurred in connection with his services as the FCR for the time period from January 1, 2014 through January 15, 2014 [Dkt. No. 31863].

the Court's Administrative Order Pursuant to Sections 105(a) and 331 of the Bankruptcy Code Establishing Procedures for Allowance and Payment of Monthly Interim Compensation and Reimbursement of Expenses of Professionals, entered May 3, 2001 (collectively, the "Administrative Order").

Objections or responses to the Application, if any, must be made in writing and filed with the United States Bankruptcy Court for the District of Delaware, Marine Midland Plaza, 824 Market Street, Fifth Floor, Wilmington, DE 19801, on or before **April 9, 2014 at 4:00 P.M., Eastern Time.** 

At the same time you must also serve a copy of the objections or responses, if any, upon the following: (i) Roger Frankel, FCR, c/o Frankel Wyron LLP, 2101 L Street, N.W., Suite 800, Washington, DC 20037 and co-counsel to the FCR, Richard H. Wyron, Esquire, Frankel Wyron LLP, 2101 L Street, N.W., Suite 800, Washington, DC 20037, Debra L. Felder, Esquire, Orrick, Herrington & Sutcliffe LLP, 1152 15<sup>th</sup> Street, NW, Washington, DC 20005 and John C. Phillips, Esquire, Phillips Goldman & Spence P.A., 1200 North Broom Street, Wilmington, DE 19806; (ii) co-counsel for the Reorganized Debtors, John Donley, Esquire, and Adam Paul, Esquire, Kirkland & Ellis, LLP, 300 North LaSalle, Chicago, IL 60654 and Laura Davis Jones, Esquire, Pachulski Stang Ziehl & Jones LLP, 919 North Market Street, Suite 1600, P.O. Box 8705, Wilmington, DE 19899-8705; (iii) co-counsel to the Official Committee of Unsecured Creditors, Kenneth Pasquale, Esquire, Stroock & Stroock & Lavan LLP, 180 Maiden Lane, New York, NY 10038-4982 and Michael R. Lastowski, Esquire, Duane Morris, LLP, 222 Delaware Avenue, Suite 1600, Wilmington, DE 19801-1659; (iv) co-counsel to the Official Committee of Asbestos Property Damage Claimants, Scott L. Baena, Esquire, Bilzin, Sumberg, Baena, Price & Axelrod, 1450 Brickell Avenue, 23<sup>rd</sup> Floor, Miami, FL 33131-3456 and Michael B. Joseph, Esquire,

Ferry & Joseph, P.A., 824 Market Street, Suite 904, P.O. Box 1351, Wilmington, DE 19899; (v) co-counsel to the Official Committee of Asbestos Personal Injury Claimants, Elihu Inselbuch, Esquire, Rita C. Tobin, Esquire, Caplin & Drysdale, Chartered, 600 Lexington Avenue, 21<sup>st</sup> Floor, New York, NY 10022-6000 and Marla R. Eskin, Esquire, Mark T. Hurford, Esquire, Kathleen Campbell Davis, Esquire, Campbell & Levine, LLC, 222 Delaware Avenue, Suite 1620, Wilmington, DE 19801; (vi) co-counsel to the DIP Lender, J. Douglas Bacon, Esquire, Latham & Watkins, Sears Tower, Suite 5800, Chicago, IL 60606 and Neil B. Glassman, Esquire, The Bayard Firm, 222 Delaware Avenue, Suite 900, P.O. Box 25130, Wilmington, DE 19899; (vii) counsel to the Official Committee of Equity Holders, Thomas Moers Mayer, Esquire, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, NY 10036; (viii) the Office of the United States Trustee, ATTN: Richard Schepacarter, Esquire, 844 N. King Street, Suite 2207, Lockbox 35, Wilmington, DE 19801; and (ix) the Fee Auditor, Warren H. Smith, Warren H. Smith and Associates, 2235 Ridge Road, Suite 105, Rockwall, TX 75087.

Any questions regarding this Notice or attachments may be directed to the undersigned counsel for the FCR.

## ORRICK, HERRINGTON & SUTCLIFFE LLP

### By:/S/ DEBRA L. FELDER

Debra L. Felder, admitted *pro hac vice* Columbia Center 1152 15th Street, N.W. Washington, DC 20005-1706 (202) 339-8400 (202) 339-8500 (facsimile)

FRANKEL WYRON LLP Richard H. Wyron, admitted *pro hac vice* 2101 L Street, N.W., Suite 800 Washington, DC 20037 (202) 903-0700 (202) 627-3002 (facsimile)

#### -and-

PHILLIPS, GOLDMAN & SPENCE, P.A. John C. Phillips, Jr. (#110) 1200 North Broom Street Wilmington, DE 19806 (302) 655-4200 (302) 655-4210 (facsimile)

Co-Counsel to Roger Frankel, Asbestos PI Future Claimants' Representative

Dated: March 20, 2014